

## FAX RECEIVED

FEB 02 2007

OFFICE OF PETITIONS PATENT

Docket No.: 050103-0525

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 49745  
 Thomas P. NOLAN : Confirmation Number: 2372  
 Application No.: 10/764,499 : Group Art Unit: 1773  
 Filed: January 27, 2004 : Allowed: September 18, 2006  
 : Examiner: Bernatz, Kevin M.

For: LAMINATED PERPENDICULAR MAGNETIC RECORDING MEDIA WITH  
 UNCORRELATED GRAINS

PETITION FOR WITHDRAWAL FROM ISSUE (37 CFR 1.313)

Mail Stop Petition  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Attn: Mrs. Frances Hicks  
 (Facsimile: 571-273-0025)

Sir:

1. Applicant hereby petitions for the withdrawal of this application from issue.
2. The issue fee for this case

- a.  has NOT been paid, but is due for payment on .
- b.  has been paid on December 18, 2006.

This application is scheduled to

issue on February 6, 2007.  
 as patent 7,172,824.

## Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile-transmitted to the Patent and Trademark Office on the date shown below.

Kim Pollard

Type or print name of person signing certification  
Kim Pollard 2/02/07

Signature

Date

3. The reason for the request for withdrawal from issue is:
  - a.  there has been a mistake on the part of the Office.
  - b.  there has been a violation of Section 1.56, or illegality in the application.

5/2007 CKHLOK 00000025 50047 10764499  one or more of the claims are unpatentable.

01 FC:1464 130.00 DA

WDC99 1344898-1 050103 0525

10/764,499

d.  for purposes of declaring an interference.  
e.  Other:

To consider references cited in an Information Disclosure Statement (IDS) filed concurrently with this Petition. A Request for Continued Examination (RCE) is also being concurrently filed.

4. The petition fee (37 CFR 1.17(i)) is paid as follows:

Enclosed is a check in the sum of \$130.00.  
 Charge Account 500417 the sum of \$130.00.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

*Bernard P. Codd*

Bernard P. Codd  
Registration No. 46,429

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 BPC:kap  
Facsimile: 202.756.8087  
Date: February 2, 2007

Please recognize our Customer No. 49745  
as our correspondence address.

Certification of Faxed/Email Transcription  
I hereby certify that the matter is being transmitted  
to the Patent and Trademark Office  
on the date shown below.  
Kim Pollard  
Type or print name of person signing certification  
Kim Pollard 2/20  
Signature Date